Amendment of Factories Act, 1948

1203. SHRI SHIVANAND TIWARI: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether it is a fact that Government proposes to amend Factories Act, 1948 to make a provision for a work force that is flexible and double the number of hours a worker can be made work overtime; and

(b) if so, the details thereof stating the justification for the proposed amendments?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE): (a) and (b) The Government of India does not intend to amend Section 56 of the Factories Act, 1948 concerning spread over which relates to the flexibility of working hours. However, a proposal to enhance the overtime hours under Sections 64 and 65 of the Factories Act, 1948 is under consideration.

The amendments are being proposed as it was felt that the maximum permissible overtime work in a quarter was inadequate for seasonal work and in some exceptional work such as, in Government presses operation where the workers are assigned the task of completion of urgent jobs like ballot papers, budget books etc.

Workers lacking basic rights

1204. SHRI MOHD. ALI KHAN: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the workers are protesting for the basic rights such as minimum wages, proper limit on the working hours, ESI, job card etc., which are currently not available to more than 90 per cent of the industrial and rural labourers;

(b) if so, the details thereof and the reasons therefor; and

(c) by when action will be taken on each of these issues?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE): (a) to (c) The basic rights of the workers are sought to be protected under the provisions of various Labour laws including the Minimum Wages Act, 1948, the Payment of Wages Act, 1936, the Factories Act, 1948, etc. The Minimum Wages act, 1948 is applicable to industrial and rural labourers, the Factories Act is applicable to all industrial establishment employing 10 or more workers with power and 20 or more workers without power and the Payment of Wages act is applicable to factories, mines, plantation workers, construction workers, etc. Hence, a substantial section of the workforce is covered under the ambit of these Acts.